

02-08-02 A

FISH RICHARDSON P.C.



Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

February 4, 2002

500 ARGUELLO STREET
Suite 500
Redwood City, California
94063-1526

Telephone
650 839-5070

Facsimile
650 839-5071

Web Site
www.fr.com



Attorney Docket No.: 07575-033002

Box Patent Application
Commissioner for Patents
Washington, DC 20231

Presented for filing is a new continuation patent application of:

Applicant: Srinivas Pothapragada, Lakshman Narayanaswamy,
Pannala Sudhakar Reddy, Ravi S. Indurkar and
Tarun Kumar Tripathy

Title: INTELLIGENT VIRTUAL VOLUME ACCESS

The prior application is assigned of record to Auspex Systems, Inc., a Delaware corporation, by virtue of an assignment submitted to the Patent and Trademark Office and resubmitted to the Patent and Trademark Office on January 24, 2002.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	36
Claims	1
Abstract	1
Declaration	2
Drawing(s)	16

Enclosures:

- Preliminary Amendment (13 pages)
- Form PTO-1449, 1 page, listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials.
- Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)
- Postcard.

FR

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Express Mail Label No. EL 942 201 100 US

February 4, 2002
Date of Deposit

Commissioner for Patents
February 4, 2002
Page 2

This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/286,248, filed April 5, 1999. The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

Basic filing fee	\$370
Total claims in excess of 20 times \$18	\$0
Independent claims in excess of 3 times \$84	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$370

This application is entitled to small entity status.

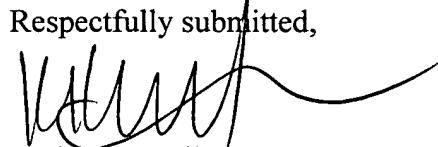
A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (650) 839-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to: **Customer Number 26181**.

Respectfully submitted,



Katherine Kelly Lutton
Reg. No. 46,333

Enclosures

KZL/scz

50077315.doc

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	S. POTHAPRAGADA, et al.
Title	Intelligent Virtual Volume Access
Atty. Docket Number	07575-033002

I hereby certify that the invention disclosed in the attached application **has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.** I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Feb 4, 2002

Date


Signature

Katherine Kelly Lutton

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**